APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,451	04/13/2001	Richard A. Quattrocchi	36664.00.0028	2930

23418   7590   04/02/2008
VEDDER PRICE KAUFMAN & KAMMHOLZ
222 N. LASALLE STREET
CHICAGO, IL 60601

EXAMINER
MORGAN, ROBERT W

ART UNIT	PAPER NUMBER
3626	

MAIL DATE	DELIVERY MODE
04/02/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/834,451	QUATTROCCHI ET AL.
	Examiner	Art Unit	
	Robert W. Morgan	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _30 January 2008_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _21 and 84-105_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _21 and 84-105_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 1/30/08 has been entered.

Notice to Applicant

2.   This communication is in response to the amendment filed 1/30/08. Claims 21, 85-87, 93

and 98 have been amended. Claims 21 and 84-105 are presented for examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

Claim 21 recites the limitation "wherein said counseling..." in page 3, line 15. There is

insufficient antecedent basis for this limitation in the claim. There is no prior mention of "...

counseling" in the claim only that the user is queried for counseling, so it is unclear as to what

the limitation "... said counseling" is referring.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 21, 84-95 and 98-105 are rejected under 35 U.S.C. 103(a) as being unpatentable

over U.S. Patent No. 5,509,064 to Welner in view of U.S. Patent No. 6,222,919 to Hollatz et al.

As per claim 21, Welner teaches a testing system, a method for routing a plurality of

incoming inquiries initiated by a plurality of users, said users submitting test specimens for

evaluation to a testing facility, each of said users being associated with a personal identification

code, said personal identification code being associated with a code database comprising a

plurality of codes in which at least one subset of said plurality of codes is associated with a code

lot for the employees of a specific company, the method comprising the steps of:

--the claimed receiving an inquiry initiated by one of said users is met by the client-caller

(120, Fig. 1) requesting information about test results (see: column 4, lines 66 to column 5, lines

3);

--the claimed prompting said user to transmit said personal identification code is met by

the caller handler and routing system (110, Fig. 1) prompting the client-caller supply a unique

PIN (see: column 5, lines 3-8);

--the claimed receiving said personal identification code is met by the caller handler and

routing system (110, Fig. 1) receiving the PIN and transmitting to the host computer (150, Fig. 1)

(see: column 5, lines 8-10);

--the claimed in any order querying said user as to whether said user desires counseling is

met by client-callers placing calls to call handler and routing system (110, Fig. 1) in order to

obtain general information or for other reasons are transferred to a customer service

representative (CRS) (see: column 4, lines 61-65). The Examiner considers a caller trying to

receive general information and then being transferred to a CRS equivalent to a user having a

desire to be counseled; and

--the claimed routing said inquiry to said counselor is met by a selected caller handler

chosen from a plurality of candidate call handlers after the personal identification code is

received by the caller handler and routing system (see: column 2, lines 39-51).

Welner fails to teach:

--the claimed determining whether said personal identification code input by said user

corresponds to a code lot for the employees of the specific company;

--the claimed from among a plurality of counselors, including at least one counselor

associated with said lot, selecting a counselor associated with said lot if said personal

identification code is determined to be associated with said lot; and

--the claimed wherein said counseling is tailored to the user and includes information

relating to the user's insurance benefits, and to provide activities to reduce risk if a result of the

test specimen is negative, and instruction to enter physician care for further medical evaluation

and follow up if the result of the test specimen is positive and indeterminate.

Welner teaches a client-caller placing calls to call handler and routing system (110, Fig.

1) in order to obtain general information or for other reasons are transferred to a customer service

representative (CRS) (see: column 4, lines 61-65).

Welner does not expressly teach wherein said counseling is tailored to the user and

includes information relating to the user's insurance benefits, and to provide activities to reduce

risk if a result of the test specimen is negative, and instruction to enter physician care for further

medical evaluation and follow up if the result of the test specimen is positive and indeterminate.

However, this difference is only found in the nonfunctional descriptive material and is

not functionally involved in the steps recited. The type of counseling information provided to the

user is not functionally related to the functions of the testing system. Thus, this descriptive

material will not distinguish the claimed invention from the prior art in terms of patentability, see

In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d

1579, 32 UPSQ2d 1031 (Fed. Cir. 1994). Therefore, it would have been obvious to a person of

ordinary skill in the art at the time the invention was made to provide different types of

counseling information to a user because such information does not functionally relate to the

steps in the claimed testing system and because the subjective interpretation of the counseling

information does not patentably distinguish the claimed invention.

Welner teaches that a selected caller handler is chosen from a plurality of candidate call

handlers after the personal identification code is received by the caller handler and routing

system (see: column 2, lines 39-51). In addition, Welner teaches a host computer system (150,

Fig. 1) that includes information such as a list of valid PIN's in the PIN status and result

databases (see: column 4, lines 25-50, column 7, lines 3-5).

Welner fails to teach:

--the claimed determining whether said personal identification code input by said user

corresponds to a code lot for the employees of the specific company; and

--the claimed from among a plurality of counselors, including at least one counselor

associated with said lot, selecting a counselor associated with said lot if said personal

identification code is determined to be associated with said lot.

Hollatz et al. teaches a method and automatic call distribution system (100, Fig. 1) that

routes calls based information from an external caller such as account number or type of call

(see: column 4, lines 12-18). Additionally, Hollatz et al. teaches that incoming call are thereafter

routed based on predetermined information provided by the user, moreover other methods for

detecting information related incoming calls are well known (see: column 4, lines 18-20). This

suggests that calls are routed based on predetermined information (account number, i.e. sales,

inventory, billing etc.) or other methods and the account number could include information

associating employees to a specific company or department. In addition, Hollatz et al. teaches

that agents are grouped into skill groups (reads on "code lot") (110a-110n, Fig. 2) based on their

respective agent-skill indicator (see: column 5, lines 20-21). Furthermore, Hollatz et al. teaches

at step 208, a call-skill indicator representative of a skill deemed useful in satisfying the needs of

the external caller is identified and at step 210, the call is routed to the agent in the proper skill

group (see: column 6, lines 1-12 and Fig. 2).

One of ordinary skill in the art at the time the invention was made would have found it

obvious to include the identification code associated with a code lot and selecting a handler

associated with that code lot as taught by Hollatz et al. within the call routing and handling

system as taught by Welner et al. with the motivation of improving automatic call distribution

and grouping available agents to caller, in a timely fashion according to their specific needs (see:

Hollatz et al.: column 1, lines 63-67).

As per claim 84, Welner teaches the claimed step of providing counseling to said user.

This limitation is met by client-callers placing calls to call handler and routing system (110, Fig.

1) in order to obtain general information or for other reasons are transferred to a customer service

representative (CRS) (see: column 4, lines 61-65). The Examiner considers a caller trying to

receive general information and then transferred to a CRS equivalent to a user being counseled.

As per claim 85, Welner teaches a host computer system (150, Fig. 1) that includes

information such as list of valid PIN's in the PIN status and result databases (see: column 4, lines

25-50, column 7, lines 3-5).

Welner fails to explicitly teach database includes a plurality of code lots for employees of

a plurality of companies.

Hollatz et al. teaches a method and automatic call distribution system (100, Fig. 1) that

routes calls based information from an external caller such as account number or type of call

(see: column 4, lines 12-18). Additionally, Hollatz et al. teaches that incoming call are thereafter

routed based on predetermined information provided by the user, moreover other methods for

detecting information related incoming calls are well known (see: column 4, lines 18-20). This

suggests that calls are routed based on predetermined information (account number, i.e. sales,

inventory, billing etc.) or other methods and the account number could include information

associating employees to a specific company or department. In addition, Hollatz et al. teaches a

method and automatic call distribution system where agents are grouped into skill groups ($110a$-

$110n$, Fig. 2) based on their respective agent-skill indicator (see: column 5, lines 20-21).

Furthermore, Hollatz et al. teach a memory device (304, Fig. 3) that stores detected unavailable

agents until the unavailable agents become available (see: column 2, lines 54-56).

The motivation for combining the teachings of Hollatz et al. within the system as taught

by Welner are discussed in the rejection of claim 21, and incorporated herein.

As per claim 86, Welner teaches that a selected caller handler is chosen from a plurality of candidate call handlers after the personal identification code is received by the caller handler and routing system (see: column 2, lines 39-51).

Welner fails to explicitly teach the claimed at least two of said code lots for employees of a plurality of companies are exclusive of common codes.

Hollatz et al. teaches a method and automatic call distribution system (100, Fig. 1) that routes calls based information from an external caller such as account number or type of call (see: column 4, lines 12-18). Additionally, Hollatz et al. teaches that incoming call are thereafter routed based on predetermined information provided by the user, moreover other methods for detecting information related incoming calls are well known (see: column 4, lines 18-20). This suggests that calls are routed based on predetermined information (account number, i.e. sales, inventory, billing etc.) or other methods and the account number could include information associating employees to a specific company or department. In addition, Hollatz et al. teaches that agents are grouped into skill groups (reads on "code lot") (110a-110n, Fig. 2) based on their respective agent-skill indicator (see: column 5, lines 20-21). Furthermore, Hollatz et al. teaches at step 208, a call-skill indicator representative of a skill deemed useful in satisfying the needs of the external caller is identified and at step 210, the call is routed to the agent in the proper skill group (see: column 6, lines 1-12 and Fig. 2).

The motivation for combining the teachings of Hollatz et al. within the system as taught by Welner are discussed in the rejection of claim 21, and incorporated herein.

As per claim 87, Welner teaches that a selected caller handler is chosen from a plurality of candidate call handlers after the personal identification code is received by the caller handler and routing system (see: column 2, lines 39-51).

Welner fails to explicitly teach the claimed at least one code lot, said plurality of counselors includes a plurality of counselors associated with said code lot for employees of a plurality of company, said method further including the step of selecting a counselor from among the plurality of counselors associated with said lot.

Hollatz et al. teaches a method and automatic call distribution system (100, Fig. 1) that routes calls based information from an external caller such as account number or type of call (see: column 4, lines 12-18). Additionally, Hollatz et al. teaches that incoming call are thereafter routed based on predetermined information provided by the user, moreover other methods for detecting information related incoming calls are well known (see: column 4, lines 18-20). This suggests that calls are routed based on predetermined information (account number, i.e. sales, inventory, billing etc.) or other methods and the account number could include information associating employees to a specific company or department. In addition, Hollatz et al. teaches that agents are grouped into skill groups (reads on "code lot") (110*a*-110*n*, Fig. 2) based on their respective agent-skill indicator (see: column 5, lines 20-21). Furthermore, Hollatz et al. teaches at step 208, a call-skill indicator representative of a skill deemed useful in satisfying the needs of the external caller is identified and at step 210, the call is routed to the agent in the proper skill group (see: column 6, lines 1-12 and Fig. 2).

The motivation for combining the teachings of Hollatz et al. within the system as taught by Welner are discussed in the rejection of claim 1, and incorporated herein.

As per claim 88, Welner teaches the claimed said plurality of counselors for said lot includes at least one live counselor and at lest one automated counselor. This feature is met by the automated call handler and routing system (110, Fig. 1) that uses recorded message to inform the client (120, Fig. 1) about test result information prior to sending the call to a live-counselor (140, Fig. 1) (see: column 4, lines 4-15). Welner teaches that a selected caller handler is chosen from a plurality of candidate call handlers after the personal identification code is received by the caller handler and routing system (see: column 2, lines 39-51).

As per claim 89, Welner teaches the claimed inquiry is made via electronic communication. This limitation is met by the client-caller (120, Fig. 1) supplying a unique PIN to system (110, Fig. 1) via the touch-tone buttons on the telephone of client-caller (120, Fig. 1) (see: column 5, lines 3-7 and 19-25).

As per claim 90, Welner teaches the claimed counseling is provided to said user via electronic communication. This feature is met when it is determined that a PIN supplied by the client-caller (120, Fig. 1) is not recognized by the host computer (150, Fig. 1) the system (110, Fig. 1) automatically transfer the call to a customer service representatives (140, Fig. 1) (see: column 5, lines 9-19).

As per claim 91, Welner teaches the claimed wherein some of the codes in said database are not associated with a lot, said plurality of counselors including at least one non-lot-specific counselor. This feature is met when it is determined that a PIN supplied by the client-caller (120, Fig. 1) is not recognized by the host computer (150, Fig. 1) the system (110, Fig. 1) automatically transfer the call to a customer service representatives (140, Fig. 1) (see: column 5, lines 9-19).

As per claim 92, Welner teaches the claimed said plurality of counselors including a

plurality of non-lot-specific counselors, the method including the step of selecting one of said

non-lot-specific counselors if it is determined that said personal identification code input by said

user is not associated with a lot. This feature is met when it is determined that a PIN supplied by

the client-caller (120, Fig. 1) is not recognized by the host computer (150, Fig. 1) the system

(110, Fig. 1) automatically transfer the call to a customer service representatives (140, Fig. 1)

(see: column 5, lines 9-19 and Fig. 1).

As per claim 93, Welner teaches that a selected caller handler is chosen from a plurality

of candidate call handlers after the personal identification code is received by the caller handler

and routing system (see: column 2, lines 39-51).

Welner fails to explicitly teach the claimed code database comprises a plurality of code

lots for employees of a plurality of companies, wherein at least one of said plurality of

counselors is associated with plural code lots for employees of a plurality of companies.

Hollatz et al. teaches a method and automatic call distribution system (100, Fig. 1) that

routes calls based information from an external caller such as account number or type of call

(see: column 4, lines 12-18). Additionally, Hollatz et al. teaches that incoming call are thereafter

routed based on predetermined information provided by the user, moreover other methods for

detecting information related incoming calls are well known (see: column 4, lines 18-20). This

suggests that calls are routed based on predetermined information (account number, i.e. sales,

inventory, billing etc.) or other methods and the account number could include information

associating employees to a specific company or department. In addition, Hollatz et al. teaches

that agents are grouped into skill groups (reads on "code lot") (110a-110n, Fig. 2) based on their

respective agent-skill indicator (see: column 5, lines 20-21). Furthermore, Hollatz et al. teaches

at step 208, a call-skill indicator representative of a skill deemed useful in satisfying the needs of

the external caller is identified and at step 210, the call is routed to the agent in the proper skill

group (see: column 6, lines 1-12 and Fig. 2).The motivation for combining the teachings of

Hollatz et al. within the system as taught by Welner are discussed in the rejection of claim 1, and

incorporated herein.

As per claim 94, Welner teaches the claimed wherein said specimen is a medical

specimen and said evaluation is a medical evaluation. This limitation is met by the client (120,

Fig. 1) providing a specimen of blood using a test-kit to the testing laboratory (130, Fig. 1) (see:

column 3, lines 7-13).

As per claim 95, Welner teaches the claimed wherein said evaluation is an evaluation for

HIV. This limitation is met by the client (120, Fig. 1) providing a specimen of blood using an

HIV test-kit to the testing laboratory (130, Fig. 1) (see: column 3, lines 7-13).

As per claim 98, Welner teaches the claimed said plurality of one common counselor

provided with code lot for employees of a plurality of company, wherein said step of selecting a

counselor comprises selecting instructions for said common counselor counselors comprises at

least instructions associated with said counselor comprises selecting instructions for said

common counselor. This limitation is met by a selected caller handler being chosen from a

plurality of candidate call handlers after the personal identification code is received by the caller

handler and routing system (see: column 2, lines 39-51). In addition, Welner teaches in the event

that a caller-client (120, Fig. 1) requests help at step 230 the system (110, Fig. 1) transfers the

call to CSR for further handling (see: column 8, lines 7-11). Furthermore, Welner teaches at step

230, that once the caller-client (120, Fig. 1) indicates to the CSR that help is needed the call is

further processed at step 240 (see: column 8, lines 16-21). This suggests that the CSR transfers

the call according to proper protocol or instructions to the next step for further processing.

Moreover, Hollatz et al. teaches a method and automatic call distribution system (100, Fig. 1)

that routes calls based information from an external caller such as account number or type of call

(see: column 4, lines 12-18). Additionally, Hollatz et al. teaches that incoming call are thereafter

routed based on predetermined information provided by the user, moreover other methods for

detecting information related incoming calls are well known (see: column 4, lines 18-20). This

suggests that calls are routed based on predetermined information (account number, i.e. sales,

inventory, billing etc.) or other methods and the account number could include information

associating employees to a specific company or department. In addition, Hollatz et al. teaches

that agents are grouped into skill groups (reads on "code lot") (110*a*-110*n*, Fig. 2) based on their

respective agent-skill indicator (see: column 5, lines 20-21). Furthermore, Hollatz et al. teaches

at step 208, a call-skill indicator representative of a skill deemed useful in satisfying the needs of

the external caller is identified and at step 210, the call is routed to the agent in the proper skill

group (see: column 6, lines 1-12 and Fig. 2).

As per claim 99, Welner teaches the claimed inquiry is received prior to submission of a

test specimen This feature is met by the automated call handler and routing system (110, Fig. 1)

that uses recorded message to inform the client (120, Fig. 1) about test result information prior to

sending the call to a live-counselor (140, Fig. 1) (see: column 4, lines 4-15)..

As per claim 100, Welner teaches the claimed wherein said inquiry is received prior to

providing test result information to the user. This feature is met by the automated call handler

and routing system (110, Fig. 1) that uses recorded message to inform the client (120, Fig. 1)

about test result information prior to sending the call to a live-counselor (140, Fig. 1) (see:

column 4, lines 4-15).

As per claim 101, Welner teaches the claimed wherein user is queried as to whether said

user desires counseling after said user has received test result information. This limitation is met

at step 266, where after a recorded message stating the test result information the caller is given

the opportunity to chose from a list of recorded topics or to speak further with a live counselor

(see: column 9, lines 55-60).

As per claim 102, Welner teaches the claimed said user is anonymously identified by one

of said personal identification codes. This limitation is met by system (100, Fig. 1) that retrieves

and provides test results to each individual client (120, Fig. 1) based only on a unique personal

identification number associated with the client's at-home test kit (see: column 3, lines 11-15).

As per claim 103, Welner teaches the claimed wherein said personal identification code is

associated with the test specimen submitted by said user. This limitation is met by system (100,

Fig. 1) that retrieves and provides test results to each individual client (120, Fig. 1) based only a

unique personal identification number associated with the client's at-home test kit (see: column

3, lines 11-15).

As per claim 104, Welner teaches the claimed user has a different personal identification

code that is associated with user-identifying information. This limitation is met by the identity

(e.g. name, address, telephone number) of each client (120, Fig. 1) (see: column 3, lines 17-22).

The Examiner considers a telephone number to be at least a different identification code

associated with the user name and address or user-identifying information.

As per claim 105, Welner teaches the claimed personal identification code is not associated with user-identifying information. This limitation is met by each test card purchased by a client (120, Fig. 1) has a unique multi-digit personal identification number (PIN) pre-printed on the card (see: column 3, lines 30-32).

5.   Claims 96-97 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,5092,064 to Welner in view of U.S. Patent No. 6,222,919 to Hollatz et al. as applied to claims 21 and 94 above, and further in view of U.S. Patent No. 5,890,492 to Elmatch.

As per claims 96-97, Welner and Hollatz et al. teach the client (120, Fig. 1) providing a specimen of blood using a test-kit to the testing laboratory (130, Fig. 1) (see: Welner: column 3, lines 7-13).

Welner and Hollatz et al. fail to explicitly teach the claimed evaluation is an evaluation for hepatitis and environmental evaluation and specimen is an environmental specimen.

Elmatch teaches a method of controlling the spread of HIV/AIDS and other infectious diseases that includes a testing process that includes blood tests or other specific tests which identify diseases such as HIV/AIDS, syphilis, gonorrhea, chlamydia, herpes, hepatitis and the like (see: column 2, lines 19-23).

Therefore, it would have been obvious to a person of ordinary skill in art at the time the invention was made to include evaluation for hepatitis and environmental as well as the specimen is an environmental specimen as taught by Elmatch with the system of Welner and Hollatz et al. with the motivation of preventing the spread of infectious disease by providing an easily-accessible information database which provides status information to individuals who

participate thereby minimizing the risk of becoming infected (see: Elmalch: column 1, lines 50-55).

Response to Arguments

6.   Applicant's arguments filed 1/30/08 have been fully considered but they are not persuasive. Applicant's arguments will be addressed hereinbelow in the order in which they appear in the response 1/30/08.

(A) In response to Applicant argument, it is respectfully submitted that the Examiner has applied new passages and citations to amended claims 21, 85-87, 93 and 98 at the present time. The Examiner notes that amended limitations were not in the previously pending claims as such, Applicant's remarks with regard to the application of Welner, Hollatz et al. and Elmalch to the amended limitations are addressed in the above Office Action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Morgan whose telephone number is (571) 272-6773. The examiner can normally be reached on 8:30 a.m. - 5:00 p.m. Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Luke Gilligan can be reached on (571) 272-6770. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert Morgan/
Primary Examiner, Art Unit 3626